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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BOUALEM HABIB,

10 Plaintiff,

11 v.

12 TOTE SERVICES, INC.,

13 Defendant.

Case No. C14-1685RSL

ORDER AWARDING FEES

This matter initially came before the Court on “Defendant Tote Services, Inc.’s Motion for Sanctions.” Dkt. # 29. Pursuant to this Court’s order awarding fees and costs incurred in filing that motion as a discovery sanction, Dkt. # 77, defendant submitted a declaration setting forth the expenses incurred in making its motion for sanctions, Dkt. # 78. Plaintiff did not respond. Having reviewed defendant’s submissions and the remainder of the record, the Court finds as follows.

Defendant seeks attorney’s fees in the amount of \$16,158 (9.60 hours at a rate of \$355 per hour, plus 50 hours at a rate of \$255 per hour). Dkt. # 78, ¶¶ 5, 7, 8, 9, 10. Though plaintiff has not objected to this request, the fee applicant bears the burden of demonstrating the reasonableness of the fees requested. The Court acknowledges that litigating this motion for sanctions was complicated by the number of filings and volume of supporting documentation produced by plaintiff in opposition. Still, the Court concludes that defendant has not demonstrated the reasonableness of spending nearly 60 hours on this discovery dispute. See

1 Aecon Bldgs., Inc. v. Zurich North America, No. C07-832MJP, 2008 WL 4443285, at *1 (W.D.
2 Wash. Sept. 25, 2008) (noting that 19.3 hours was a reasonable amount of time to spend on a
3 complex motion for sanctions). The Court will award fees for 4.8 hours and 25 hours of work by
4 the two attorneys, respectively.

5 Plaintiff shall, within 90 days of the date of this order, reimburse defendant for fees in the
6 amount of \$8,079. The Clerk of Court is directed to enter an amended judgment reflecting this
7 award of fees as a discovery sanction.

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10 SO ORDERED this 2nd day of February, 2017.

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12 Robert S. Lasnik
13 Robert S. Lasnik
United States District Judge
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